

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

(1) LARRY M SEXTON JR #298313
(Plaintiff)

P.O Box 9561 Wilm DE 19809

42 U.S.C § 1983

(1) ERNIE Carletti 594703
(Witness)

P.O. Box 9561 Wilm DE 19809

07-539

(case number)

VS.

(1) STATE OF DE. / H.R.Y.C.I

CIVIL COMPLAINT

.. Jury trial yes

CLERK U.S. DISTRICT COURT
FILED
DISTRICT OF DELAWARE

2007 SEP - 7 PM 4:12

I. previous lawsuits: none

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES.

- A. IS there a prison grievance procedure available at your present institution ? yes.
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims ? yes.
- C. If your answer to "B" is yes.
 1. What steps did you take? I submitted a grievance "#134205" and told officers twice a day about the ventilation being off.
 2. What was the result? I received all new clothing and bedding after a week and a half. The ventilation was fixed before my grievance hearing at around 3AM on 8-5-07 The LT. said there was nothing he could do about the nine days of living in hell...

III. DEFENDANTS.

- (1). STATE OF DE. / H.R.Y.C.I.

IV. STATEMENT OF CLAIM.

- (1) Total barbaric living conditions for nine days. TIMELINE: on 7-21-07 between 11pm-6AM the air/ventilation / exhaust was turned off. It was completely off until 7-29-07. around 10 to 10:30pm the ventilation came back on. "THE DAY AFTER I SUBMITTED THE GRIEVANCE" after nine days of torturous living...
- (2) Mildew/unsafe living conditions. for over nine days and beyond everything in my cell and every cell on I-B pod was damp and mildewed. It began to mildew after about two days. my hair, bedding, towel, washcloth, and all of my clothes were damp and mildewed. It made me sick and I vomited twice...
- (3) No water for about 24 hours. on 7-26-07 at about 4-6 AM the water was shut off. we had no hygiene at all for about 24 hours. "plus no ventilation" were forced to use the toilet with no water. "3 of us in the cell". The urine/feces sat in the toilet for about a day. totally inhumane. I was sweating for nine days. dehydrated.

- cont.

was exhausted and fatigued. I've mentally lost it! I now take psychotic medication due to the degrading I was put through...

(4)

Sleeping on the floor next to a toilet in a cell with three inmates originally designed for one man. with mildew rotting the adhesive under the tiles. Total unnecessary pain and infliction. forced to live on a floor that is deteriorating. mice wake me up at night crawling next to me on the floor getting into my food. "No shelves" in our cell". "no cabinets". nowhere at all to put or hang our clothes. forced to put commissary on the floor. everything is on the floor...

V. RELIEF

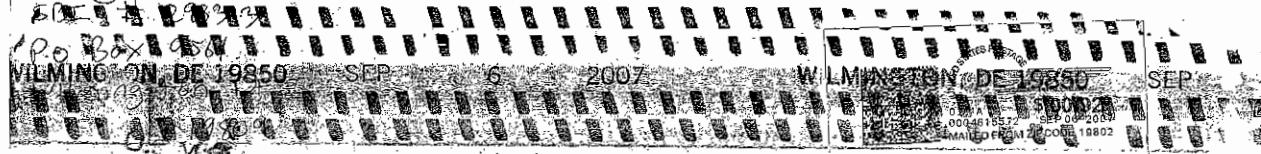
(1) To grant me restitution for my pain and suffering and mental anguish for being forced to live in degrading, barbaric living conditions... \$ 500,000. 00

I declare under penalty of perjury that the foregoing is true and correct.

signed this 5th day of September 2007

Harry M. Sexton Jr.

Larry M. Sexton, Jr.



Clerk,

U.S. DISTRICT COURT

Lockbox 187

844, N. King street.

Wilmington, DE. 19801.